

CIRCUIT COURT

The history of the circuit court dates back to 1824 when 3 judges of the supreme court held annual terms in the counties of Wayne, Monroe, Oakland, Macomb, and St. Clair and were authorized to hold special sessions in Crawford, Brown, and Michilimackinac counties. In 1835, circuit courts were established by name, but were presided over by the judges of the supreme court.

The county courts in all of the counties of the territory east of Lake Michigan, except Wayne, were abolished in 1833 and replaced by "The circuit court of the territory of Michigan." The state was divided into 3 circuits in 1836 and the judges of the supreme court performed the duties of circuit judges. The Revised Statutes of 1846 abolished the court of chancery, and the chancery powers were conferred upon the several circuit courts. The Constitution of 1850 made the office of circuit judge elective and the term of office 6 years.

The Constitution of 1908 provided for judicial circuits. At present the state is divided into judicial circuits along county lines. The number of judges within a circuit is established by the legislature to accommodate required judicial activity. In multicounty circuits, judges travel from one county to another to hold court sessions. Circuit judges are elected for terms of 6 years in nonpartisan elections. A candidate must be a qualified elector, a resident of the judicial circuit, a lawyer, and under 70 years of age. The legislature sets salaries for circuit judges, which may be supplemented by counties.

The Constitution of 1963 made no changes in the provisions for the election of circuit judges.

Jurisdiction

The circuit court is the trial court of general jurisdiction in Michigan because of its very broad powers. The circuit court has jurisdiction over all actions except those given by state law to another court. Generally speaking, the circuit court has original jurisdiction in all civil cases involving more than \$25,000, in all criminal cases where the offense involves a felony or certain serious misdemeanors, and in all domestic relations cases, including divorce and paternity actions.

The circuit court also hears cases appealed from lower courts and from some administrative agencies of state government. In addition, the circuit court has superintending control over other courts within the judicial circuit, subject to final superintending control of the supreme court.

Circuit judges are elected for terms of six years in nonpartisan elections. A candidate must be a qualified elector, a resident of the judicial circuit, a lawyer and under 70 years of age.

Caseload

There were 254,787 new cases filed in Michigan circuit courts in 1997. Of these new cases, 9,343 (3.7%) were appeals, 120,131 (47.1%) involved domestic relations, 62,719 (24.5%) concerned civil matters, 62,243 (24.4%) concerned criminal matters, and 351 were court of claims cases.

Between 1996 and 1997 total new cases filed decreased by 9.9% (-28,055). The overall decrease in new filings between 1996 and 1997 was largely the result of an unusually large number of civil filings in 1996 prior to implementation of tort reform legislation. Appeals cases decreased by 2.2% (-206), domestic relations actions decreased by 4.2% (-5,229), civil cases decreased by 19.3% (-21,244), criminal cases decreased by 1.7% (-1,061), and court of claims cases decreased by 24.7% (-115).

Of the appeals filed, 5,951 (63.7%), concerned state agency decisions, 918 (9.8%) concerned civil matters, 561 (6.0%) concerned criminal matters, and 1,913 (20.5%) sought extraordinary writs. Criminal appeals decreased by 31 or 5.2%, extraordinary writs increased by 32 or 1.7%, state agency decision appeals decreased by 282 or 4.5%, and civil appeals decreased by 75 or 8.9%.

COURT OF CLAIMS

The court of claims is a special court that hears cases involving claims against the state or any of its departments, commissions, or institutions. Established by the legislature as a function of the 30th Judicial Circuit Court (Ingham County) in 1979, the jurisdiction of the court, except as otherwise provided by law, extends to claims and demands against the state or any of its departments, commissions, boards, institutions, arms, or agencies, except those arising from line-of-duty injuries to state employees. Claimants may bring suit in the court of claims provided the claim is for \$1,000 or more. In 1997, 370 new and reopened cases were filed with the court of claims.

CIRCUIT COURT — JUDICIAL CIRCUITS

(Pursuant to Act 236 of 1961)

County	Population in 1990	County	Population in 1990
1st Circuit		17th Circuit	
Hillsdale	43,431	Kent	500,631
2nd Circuit		18th Circuit	
Berrien	161,378	Bay	111,723
3rd Circuit		19th Circuit	
Wayne	2,111,687	Manistee	21,265
4th Circuit		Benzie	12,200
Jackson	149,756	Total	33,465
5th Circuit		20th Circuit	
Barry	50,057	Ottawa	187,768
6th Circuit		21st Circuit	
Oakland	1,083,592	Isabella	54,624
7th Circuit		22nd Circuit	
Genesee	430,459	Washtenaw	282,937
8th Circuit		23rd Circuit	
Ionia	57,024	Iosco	30,209
Montcalm	53,059	Oscoda	7,842
Total	110,083	Total	38,051
9th Circuit		24th Circuit	
Kalamazoo	223,411	Sanilac	39,928
10th Circuit		25th Circuit	
Saginaw	211,946	Marquette	70,887
11th Circuit		26th Circuit	
Alger	8,972	Alcona	10,145
Luce	5,763	Alpena	30,605
Schoolcraft	8,302	Montmorency	8,936
Total	23,037	Presque Isle	13,743
12th Circuit		Total	63,429
Baraga	7,954	27th Circuit	
Houghton	35,446	Newaygo	38,202
Keweenaw	1,701	Oceana	22,454
Total	45,101	Total	60,656
13th Circuit		28th Circuit	
Antrim	18,185	Missaukee	12,147
Grand Traverse	64,273	Wexford	26,360
Leelanau	16,527	Total	38,507
Total	98,985	29th Circuit	
14th Circuit		Clinton	57,883
Muskegon	158,983	Gratiot	38,982
15th Circuit		Total	96,865
Branch	41,502	30th Circuit	
16th Circuit		Ingham	281,912
Macomb	717,400	31st Circuit	
		St. Clair	145,607

CIRCUIT COURT — JUDICIAL CIRCUITS (Cont.)

County	Population in 1990	County	Population in 1990
32nd Circuit		45th Circuit	
Gogebic	18,052	St. Joseph	58,913
Ontonagon	8,854		
Total	26,906		
33rd Circuit		46th Circuit	
Charlevoix	21,468	Crawford	12,260
		Kalkaska	13,497
		Otsego	17,957
		Total	43,714
34th Circuit		47th Circuit	
Arenac	14,931	Delta	37,780
Ogemaw	18,681		
Roscommon	19,776		
Total	53,388		
35th Circuit		48th Circuit	
Shiawassee	69,770	Allegan	90,509
36th Circuit			
Van Buren	70,060		
37th Circuit		49th Circuit	
Calhoun	135,982	Mecosta	37,308
		Osceola	20,146
		Total	57,454
38th Circuit		50th Circuit	
Monroe	133,600	Chippewa	34,604
39th Circuit		Mackinac	10,674
Lenawee	91,476	Total	45,278
40th Circuit			
Lapeer	74,768		
41st Circuit		51st Circuit	
Dickinson	26,831	Lake	8,583
Iron	13,175	Mason	25,537
Menominee	24,920	Total	34,120
Total	64,926		
42nd Circuit		52nd Circuit	
Midland	75,651	Huron	34,951
43rd Circuit			
Cass	49,477		
44th Circuit		53rd Circuit	
Livingston	115,645	Cheboygan	21,398
		54th Circuit	
		Tuscola	55,498
		55th Circuit	
		Clare	24,952
		Gladwin	21,896
		Total	46,848
		56th Circuit	
		Eaton	92,879
		57th Circuit	
		Emmet	25,040

CIRCUIT COURT — JUDICIAL CIRCUITS



LEGEND	TOTALS
# - Circuit Court	210 - Judgeships
(#) - Number of Circuit Court Judgeships	57 - Number of Judicial Circuits